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Clerk, U.S. District Court
Southern District of Texas
FILED

APR 26 2017

David J. Bradley, Clerk of Court

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL NUMBER
	§	
JOSE MANUEL SAIZ-PINEDA	§	C-17-245
MARTIN ALBERTO MEDINA-SONDA	§	
SILVIA BEATRIZ PEREZ-CABALLOS	§	

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

Between on or about January 1 2006, and up to and including the date of this indictment, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, the defendants,

JOSE MANUEL SAIZ-PINEDA,
MARTIN ALBERTO MEDINA-SONDA,
and SILVIA BEATRIZ PEREZ-CABALLOS,

did knowingly and intentionally conspire and agree together, with each other and with other persons known and unknown to the Grand Jury, to commit offenses against the United States in violation of Title 18, United States Code, Section 1956, to-wit:

a) to transport, transmit, and transfer, and attempt to transport, transmit, and transfer monetary instruments and funds involving the proceeds of specified unlawful activity, to wit: bank fraud, possession of stolen funds in an amount more than $5,000, offenses against a foreign nation involving bribery of a public official and misappropriation, theft, and embezzlement of public funds by or for the benefit of a public official, and unlicensed money transmitting business, to a place in the

United States from or through a place outside the United States, knowing that the monetary instruments and funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity, to wit: bank fraud, possession of stolen funds in an amount more than $5,000, and unlicensed money transmitting business, and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i),

and,

b) to conduct and attempt to conduct financial transactions which in fact involve the proceeds of specified unlawful activity, to wit: bank fraud, possession of stolen funds in an amount more than $5,000, offenses against a foreign nation involving bribery of a public official and misappropriation, theft, and embezzlement of public funds by or for the benefit of a public official, and unlicensed money transmitting business, knowing that the property involved in the transactions represents the proceeds of some form of activity, to wit: bank fraud, possession of stolen funds in an amount more than $5,000, offenses against a foreign nation involving bribery of a public official and misappropriation, theft, and embezzlement of public funds by or for the benefit of a public official, and unlicensed money transmitting business, knowing that the transaction was designed in whole or in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section

1956(a)(1)(B)(i).

In violation of Title 18, United States Code, Section 1956(h).

COUNT TWO

On or about and between January 1, 2006, and continuing through the date of this indictment, in the Southern District of Texas, and elsewhere within the jurisdiction of the court, the defendants,

JOSE MANUEL SAIZ-PINEDA,
MARTIN ALBERTO MEDINA-SONDA,
and SILVIA BEATRIZ PEREZ-CABALLOS,

knowingly and willfully combined, conspired, confederated, and agreed together, with each other and with others known and unknown to the Grand Jury, to violate Title 18, United States Code, Section 1344, that is, to knowingly and willfully execute, and attempt to execute, a scheme and artifice to defraud Morgan Stanley Smith Barney, Royal Bank of Canada, and J.P. Morgan Chase Bank, financial institutions insured by the Federal Deposit Insurance Corporation (F.D.I.C.), and to obtain moneys, funds, credits, assets, securities, or other property owned by, or under the custody or control of Morgan Stanley Smith Barney, Royal Bank of Canada, and J.P. Morgan Chase Bank, by means of materially false and fraudulent pretenses, representations, and promises. It was part of the scheme and artifice that defendants materially misrepresented their sources of income regarding the movement of moneys from the United Mexican States to the United States in furtherance of the funding of multiple accounts at Morgan Stanley Smith Barney, Royal Bank of Canada, and J.P. Morgan Chase Bank.

In violation of Title 18, United States Code, Sections 1344, 1349.

NOTICE OF CRIMINAL FORFEITURE

I.

Pursuant to Title 18, United States Code, Section 982(a)(1), the United States of America gives notice to the defendants,

JOSE MANUEL SAIZ-PINEDA,
MARTIN ALBERTO MEDINA-SONDA,
and SILVIA BEATRIZ PEREZ-CABALLOS,

that, upon conviction of an offense in violation of Title 18, United States Code, Section 1956, as charged in Count One of the Indictment, all property, real or personal, involved in such offense, and all property traceable to such property, is subject to forfeiture.

II.

Pursuant to Title 18, United States Code, Section 982(a)(2), the United States of America gives notice to the defendants,

JOSE MANUEL SAIZ-PINEDA,
MARTIN ALBERTO MEDINA-SONDA,
and SILVIA BEATRIZ PEREZ-CABALLOS,

that, upon conviction of an offense in violation of Title 18, United States Code, Sections 1344 and 1349, as charged in Count Two of the Indictment, all property constituting, or derived from, proceeds the person obtained directly or indirectly, as the result of such offense is subject to forfeiture.

Property Subject to Forfeiture:

The property to be forfeited includes, but is not limited to, the following:

a. The real property located at 255 East 74th Street #28B, New York, New York with a legal description of the Condominium Unit ("unit") known as unit no. 28B in the building designated by the street address of 255 East 74th Street ("building") in the 255 East 74th Street Condominium ("condominium"), borough of Manhattan, County of

New York City and State of New York, said unit being designated and described by the above unit no. in a certain declaration dated September 2, 2008, made by grantor pursuant to Article 9-b of the real property law of the State of New York ("condominium act") establishing a plan for condominium ownership of the building and the land ("land") upon which the building is situate (which land is more particularly described in exhibit a annexed hereto and by this reference made a part hereof), which declaration was recorded in the office of the Register of the City of New York, County of New York ("register's office") on October 17, 2008, under CRFN 2008000409253, and amended by confirmatory first amendment to declaration dated November 4, 2008 and recorded in the register's office on November 7, 2008, under CRFN 2008000434311 ("declaration"). The unit is also designated as Tax Lot 1176 in Block 1429 of Section 5 of the Borough of Manhattan on the tax map of the real property assessment department of the City of New York and on the floor plans of the building, certified by Peter Claman, registered architect on September 25,2008, and filed with the real property assessment department of the City of New York on October 6, 2008 as Condominium Plan No. 1960 and also filed in the register's office on October 17,2008, as Condominium Map No. CRFN 2008000409254.

b. The real property located at 17121 Collins Avenue #2708, Sunny Isles Beach, Florida with a legal description of Unit 2708 of Jade Ocean Condominium, according to the Declaration of Condominium thereof, as recorded April 6, 2009, in Official Records Book 26817, at Page 1453 of the Public Records of Miami-Dade County, Florida, as amended from time to time, together with an undivided interest in the common elements appurtenant thereto.

c. The real property located at 17121 Collins Avenue #4803, Sunny Isles Beach, Florida with a legal description of Unit 4803 of Jade Ocean Condominium, according to the Declaration of Condominium thereof, as recorded April 6, 2009, in Official Records Book 26817, at Page 1453 of the Public Records of Miami-Dade County, Florida, as amended from time to time, together with an undivided interest in the common elements appurtenant thereto.

d. The real property located at 1 West Century Drive #23B, Los Angeles, California, with a legal description of The land referred to in this Report is situated in the City of Los Angeles, County of Los Angeles, State of California, and is described as follows:
A Condominium Comprised of:
Parcel 1:An undivided 1/141st interest in and to Lot 2 common element (as defined in the "Declaration" herein defined below) of Tract No. 63701, in the City of Los Angeles, County of Los Angeles, State of California, as per map filed in Book 1351, Pages 59 through 71, inclusive, of Maps, in the Office of the Los Angeles County Recorder (the "Tract").Excepting therefrom, all minerals, oil, gas and hydrocarbons and the right to explore for, develop, produce and extract the same, but without right of entry upon the surface or upper 500 feet (measured from the surface) of said land, as reserved by Fox Realty Corporation of California, a Corporation, in deed recorded April 17, 1961 in

Book D-1190, Page 104, Official Records.
Parcel 2: Unit No. U-23B as shown and defined on that certain Condominium Plan for Lots 2 and 4 of said tract recorded on September 28, 2009 as Instrument No. 20091466145 of Official Records in the Office of the Los Angeles County Recorder (the "Condominium Plan").
Parcel 3:An exclusive use easement for parking purposes to be appurtenant to Parcels 1 and 2 above, in and to those portions of the residential garage (as defined in the Declaration) consisting of reserved parking space(s) P-N/A and P-N/A as shown and defined on the condominium plan. [Note: Parcel 3 should be used only for the purchase of a reserved parking space(s) (as defined in the Declaration)]
Parcel 4: An exclusive use easement for storage purposes to be appurtenant to Parcels 1 and 2 above, in and to Storage Area S-111 as shown and defined on the Condominium Plan
Parcel 5: An exclusive use easement for terrace purposes to be appurtenant to Parcels 1 and 2 above, in and to private terrace area(s) T-23B-A and T-23B-B as shown and defined on the Condominium Plan.
Parcel 6: An exclusive use easement for cabana purposes to be appurtenant to Parcels 1 and 2 above, in and to cabana CA-N/A as shown and defined on the Condominium Plan. [Note: Parcel 6 should be used only for the purchase of a cabana (as defined in the Declaration).]
Parcel 7:An exclusive use easement for office suite purposes to be appurtenant to Parcels 1 and 2 above, in and to office suite OS-N/A as shown and defined on the Condominium Plan. [Note: Parcel 7 should be used only for the purchase of an office suite (as defined in the Declaration).]
Parcel 8: An exclusive use easement for guest suite purposes to be appurtenant to Parcels 1 and 2 above, in and to guest suite GS-N/A as shown and defined on the Condominium Plan. [Note Parcel 8 should be used only for the purchase of a guest suite (as defined in the Declaration).]
Parcel 9: An exclusive use easement for elevator lobby purposes to be appurtenant to Parcels 1 and 2 above, in and to private lobby area PLA-23B as shown and defined on the Condominium Plan
Parcel 10: All use rights and easements specified as existing in or granted to an "owner" or an owner of a "Residential Condominium" or "Residential Unit" in that certain Declaration of Covenants, Conditions and Restrictions and Reservation of Easements (the Century) recorded on January 28, 2010 as Instrument No. 2010-0123163 of Official Records of Los Angeles County, California (the "Declaration").
Parcel 11: The right to have 2 "authorized vehicles" (as defined in the Declaration) valet parked in the "General Use Parking Spaces"(as defined in the Declaration) in the "Project Garage" (as defined in the declaration) pursuant to Section 10.3.3 of the Declaration.
Parcel 12: The non-exclusive right, together with all other owners of "Residential Units" (as defined in the Declaration) of use and enjoyment of in the residential common area (as defined in the Declaration).
Parcel 13: The non-exclusive rights, together with all owners of residential units or the

commercial lot (as defined in the declaration) of use and enjoyment of the general common area (as defined in the Declaration).

e. The real property located at 6 Langstone Place, The Woodlands, Texas , with a legal description of Lot Two (2), in Block Two (2), of the Woodlands Village of Creekside Park Sec. 9, an addition in Harris County, Texas according to the map or plat thereof recorded under Film Code No. 635166 of the records of Harris County, Texas.

f. The real property located at 615 Elmhurst, Sugarland, Texas, with a legal description of Lot Thirty (30), in Block One (1), of Telfair, Section Twenty (20), A Subdivision in Fort Bend County, Texas, according to the Map or Plat thereof Recorded Under Plat No(s). 20080193, of the Map Records of Fort Bend County, Texas.

g. The real property located at 18555 Collins Avenue #5205, Sunny Isles Beach, Florida, with a legal description of All of Tract L, LESS the South 200 feet thereof and LESS the North 100 feet thereof, of AMENDED PLAT NORTH BISCAYNE BEACH, according to the Plat thereof, as recorded in Plat Book 44, Page 42,of the Public Records of Miami-Dade County, Florida.

h. Morgan Stanley Smith Barney account #4G82355, held by COMPREHENSIVE ADVISORY DEVELOPMENT COMPANY LIMITED.

i. Morgan Stanley Smith Barney account #4G82348, held by PERFORMANCE INVESTMENT LIMITED.

j. JPMorgan Chase Bank account #122155390, held by HEREDITAS CONSULTING FIRM –

k. Royal Bank Canada Wealth Management account #314-54931, held by COMPREHENSIVE ADVISORY DEVELOPMENT COMPANY LIMITED.

l. J.P. Morgan Chase Bank accounts #223221806 and #2963123395, held by Silvia Beatriz PEREZ-Ceballos.

m. Sun Life Financial Investments (Bermuda) Ltd., Contract Number 28-2873-017053, held by Silvia Beatriz PEREZ-Ceballos.

n. A personal money judgment in the amount of approximately fifty million dollars ($50,000,000.00) in United States currency.

III.

Substitute Assets

Defendant is notified that in the event that property subject to forfeiture, as a result of any act or omission of the defendant,

(1) cannot be located upon exercise of due diligence;

(2) has been placed beyond the jurisdiction of the Court;

(3) has been transferred or sold to, or deposited with a third part;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be divided without difficulty;

the United States will seek to forfeit any other property of the defendant up to the total value of the property subject to forfeiture pursuant to Title 21, United States Code, Section 853(p), as incorporated by reference in Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 982(b)(1).

A TRUE BILL:
ORIGINAL SIGNATURE ON FILE
FOREPERSON OF THE GRAND JURY

ABE MARTINEZ
ACTING UNITED STATES ATTORNEY

By: ______________________________
JULIE K. HAMPTON
Assistant United States Attorney